

AN ORDINANCE

BY:

C. T. Martin
Michael R. Cota
Debra Winslow
Darryl Shedd

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON July 26, 2001.

779 Ashby Street, SW	04
856 Drummond Street, SW	04
205 Elm Street, NW	03
2347 Leila Lane, SE	12
883 Magnolia Street, NW	03

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on May 31, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on May 31, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
779 Ashby Street, SW	04
856 Drummond Street, SW	04
205 Elm Street, NW	03
2347 Leila Lane, SE	12
883 Magnolia Street, NW	03

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

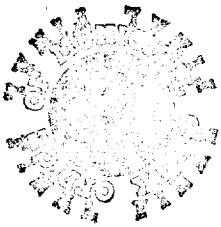
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMO

ADOPTED by the Council
APPROVED by the Mayor

SEP 04, 2001
SEP 11, 2001



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Southern Takeover, Inc.
Martha B. Robinson

on 7-13-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 118, 14th District, Fulton County, Georgia, being Lot 25, as per plat of Murphy Real Estate Company Subdivision, made by O.F. Kaufman, C.E., dated November 1920, and being more particularly described as follows:

BEGINNING at a point on the west side of Ashby Street 56.5 feet north of the northwest corner of Ashby Street and Beecher Street; thence north along the west side of Ashby Street 56 feet; thence west 158.5 feet; thence south 56.5 feet; thence east 157.8 feet to the west side of Ashby Street and the POINT OF BEGINNING; being improved property known as 779 Ashby Street, according to the present numbering of houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

July 13, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Canty
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Rodman L. Deleveraux and Bank One N.A.
F.T. Mortgage Companies D/B/A Equibanc Mortgage Corporation

on 7-13-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 109 of the 14th
District, Fulton County, Georgia, and being more particularly described as follows

BEGINNING on the South side of Drummond Street at a point 531 feet east of the
southeast corner of Drummond and Ashby Streets, and running thence east along the
south side of Drummond Street 34 feet; thence south 96 feet; thence west 34 feet; thence
north 96 feet to the point of beginning, being property known as 856 Drummond Street,
Atlanta, Georgia 30310 according to the present system of numbering houses in the City
of Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: July 13, 2001

BY:

Dale S. Hargood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Coates
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Barbara Astwood and The 205 Elm Street Trust
EquiCredit Corporation
Internal Revenue Service

on 7-13-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel or land lying and being in Land Lot 110 of the 14th
District of Fulton County, Georgia, and more particularly described as follows

BEGINNING at the northeast corner of the intersection of Elm Street and
Spencer Street and running thence north along east side of Elm Street Fifty
(50) feet; thence east one hundred (100) feet to the west side of a ten (10)
foot alley; thence south along the west side of said alley Fifty (50) feet
to the north side of Spencer Street; thence west along the North side of
Spencer Street one hundred (100) feet to the point of beginning.

Being improved property known as 205 Elm Street, NW,
Atlanta, Georgia according to the present numbering system.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

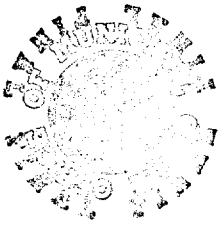
Dated: July 13, 2001

BY:

Dale S. Hays
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Edward Malcom
Southern Rental Corporation
Rosa K. Travis

on 7-13-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in Land Lot 6 of the 14th District, Fulton County, Georgia, being Lot 5, Block F, Unit Two, Valley View Subdivision, as per plat recorded in Plat Book 61, Page 73, Fulton County Records and more particularly described as follows:

BEGINNING at a point on the West side of Leila Lane at the line between Lots 4 and 5 in said Block and Subdivision, which point is 260 feet South, as measured along the West side of Leila Lane, from the Southwest corner of Leila Lane and Valley View Road; thence South, along the West side of Leila Lane, 70 feet to Lot 6; thence West, along the line between Lot 5 and 6, 150 feet; thence continuing West, in a straight line with the preceding course, 6 feet to the center line of a branch, thence Northwest, along the center line of said branch, following the meanderings thereof, 76.55 feet, more or less, to the Southwest corner of Lot 4; thence East, along the line between Lots 4 and 5, 8 feet; thence continuing East along the line between Lots 4 and 5, 181 feet to the West side of Leila Lane at the point of beginning, being improved property known as 2347 Leila Lane, S.E., Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

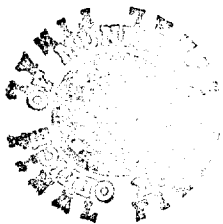
Dated: July 13, 2001

BY:

Dale L. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Canting - atty
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Mattie Wright
FUNB as Custodian for National Tax Funding
Republic Land & Investment Company
Internal Revenue Service

on 6-8-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract
or parcel of land lying and being in Land Lot 110 of the 14th District
of Fulton County, Georgia, in the City of Atlanta, and being more
particularly described as follows:

BEGINNING at the northwest intersection of Elijah Street and Magnolia Street, and running thence west along the north line of Magnolia Street, one hundred twenty nine (129) feet to an iron pin; thence north, on a line which forms an interior angle of 89 degrees 55 minutes with the north line of Magnolia Street, two hundred ninety two and three tenths (292.3) feet to the south line of Booker Washington Drive, which point according to the description in the deeds in the chain of title is two hundred sixty one (261) feet east, as measured along the south line of Booker Washington Drive, from the southeast intersection of the north-
Washington Drive and Ashby Street, and is also located at the north-
east corner of property now or formerly owned by Mrs. Ruby Richardson;
and running thence east along the south line of Booker Washington Drive,
eighty six (86) feet to an iron pin; thence south, one hundred fifty
(150) feet along the west line of property now or formerly owned by
Roy Jones; thence east, forty three (43) feet to the west line of
Elijah Street; thence south along the west line of Elijah Street, one
hundred forty two and three tenths (142.3) feet to the point of beginning;
being improved property known as No. 806 BOOKER WASHINGTON DRIVE, N.W.,
and No. 803 MAGNOLIA STREET, N. W., according to the present system
of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

June 8, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cantor
Assistant Real Estate City Attorney

RCS# 3091
9/04/01
3:27 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-1302 Clean & Close Premises
01-O-1303 Demolish & Clean Premises
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	NV Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE

01-0-1302

(Do Not Write Above This Line)

ORDINANCE BY: *William R. ...*
William R. ...
 AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON JULY 26, 2001.

779 Ashby Street, SW 04
 856 Drummond Street, SW 04
 205 Elm Street, NW 03
 2347 Leila Lane, SE 12
 883 Magnolia Street, NW 03

ADOPTED BY
 SEP 04 2001
 COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☒ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

8/6/01

Referred To:

CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee *EP/HR*
 Date *8/15/01*
 Chair *John H. Moore*
 Action: *(Fav, Adv, Hold (see rev. side))*
 Other: _____
 Members *Don Starnes, ...*
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Other: _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
 Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED
 SEP 4 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

CERTIFIED
 SEP 04 2001

Robert A. Parker

MAYOR'S ACTION

CERTIFIED
 SEP 11 2001
John H. Moore